



500 Van Emburgh Avenue  
Township of Washington, New Jersey 07676

(201) 445-6800  
Fax: (201) 445-7416

June 17, 2010

**CC Docket No. 02-6**  
**CC Docket No. 96-45**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
445 12th Street, SW  
Washington, DC 20554

**Billed Entity Name:** Immaculate Heart Academy  
**Form 471 Application Number:** 770043  
**Billed Entity Number:** 7870  
**Contact:** Alice Nudelman  
**School:** Immaculate Heart Academy  
**Address:** 500 Van Emburgh Avenue  
**City/State/Zip:** Township of Washington, NJ 07676  
**Phone:** (201) 445-6800 Ext. 142  
**E-mail:** ANudelman@ihahs.com

Dear Ms. Dortch,

This "**Request for Waiver**" letter is being submitted on behalf of Immaculate Heart Academy since I missed the deadline for filing Form 471 with the Universal Service Administrative Company (USAC). Although I did my best to keep track of the important deadlines and have not missed one deadline in the many years of submitting our forms to USAC each year, due to extenuating circumstances back in the end of 2009 and the beginning of the 2010 school year, I missed the filing window. The reason for missing the deadline is the following: The death of my 82-year-old mother at the end of 2009 and all of the details that had to be taken care of by me, put me behind the filing window. Nobody else here at my school was able to take over for me while I was attending to family matters. As a result, the critical deadlines came and went.

Since I submitted Form 470 on February 1, 2010 (after the January 14, 2010 deadline), I had to wait a designated amount of days (at least 28) to submit Form 471. This meant I was late in submitting Form 471 by the February 19, 2010 deadline.

I hope you will be able to approve this **waiver request** for my school for the 2010-2011 school year. Being an all-girl's Catholic High School, we count on this source of funding each year tremendously and would greatly appreciate you considering this exception. Without this funding, we wouldn't be able to offer as much quality educational resources to our students and faculty/staff.

*See the following pages for a copy of the USAC letter being appealed and a copy of Form 470 submitted online on 2/1/10.*

Sincerely,

A handwritten signature in cursive script that reads "Alice Nudelman".

Alice Nudelman



**FUNDING YEAR 2010 FORM 471  
POSTMARKED OUTSIDE OF WINDOW**

June 7, 2010

ALICE NUDELMAN  
IMMACULATE HEART ACADEMY  
500 VAN ENBURGH AVE  
WASHINGTON TOWNSHIP, NJ 07676-4112

Re: Applicant's Form Identifier: 4711011  
Form 471 Application Number: 770043

Dear ALICE NUDELMAN:

We're sending this letter to thank you for your recent Form 471 application. Your Form 471 application was postmarked on 03/18/2010, which is AFTER the Funding Year 2010-2011 filing window closed at 11:59 p.m. EST on Friday, February 19, 2010.

Program rules require us to hold your application pending final review of those applications that were filed within the filing window. We will post an announcement on the USAC website at [www.usac.org/sl](http://www.usac.org/sl) once we determine if funding applications that were submitted within the application filing window will fully utilize all the funds available for this Funding Year.

For more information about the processing of pending applications, about funding for applications filed after the close of the filing window or about plans for future Funding Years, please visit our website or call the Client Service Bureau at 1-888-203-8100.

**TO APPEAL THIS DECISION:**

If you wish to appeal a decision indicated in this letter, your appeal must be received by USAC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and (if available) email address for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Include the following to identify the decision letter and the decision you are appealing:
  - Appellant name,
  - Applicant or service provider name,
  - BEN,
  - Application number 770043 as assigned by USAC,
  - "Funding Year 2010 Form 471 Postmarked Outside of Window Letter,"AND
  - The exact text or the decision that you are appealing.
3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation.

4. If you are an applicant, please provide a copy of your appeal to the service provider(s) affected by USAC's decision. If you are a service provider, please provide a copy of your appeal to the applicant(s) affected by USAC's decision.

5. Provide an authorized signature on your letter of appeal.

To submit your appeal to USAC by email, email to [appeals@sl.universalservice.org](mailto:appeals@sl.universalservice.org). USAC will automatically reply to incoming emails to confirm receipt.

To submit your appeal to us by fax, fax your appeal to (973)599-6542.

To submit your appeal to us on paper, send your appeal to:

Letter of Appeal  
Schools and Libraries Division - Correspondence Unit  
100 South Jefferson Road  
P.O. Box 902  
Whippany, NJ 07981

You have the option of filing an appeal with USAC or with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received by the FCC or postmarked within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. We strongly recommend that you use the electronic filing options described in the "Appeals Procedure" posted on our website. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554.

Schools and Libraries Division  
Universal Service Administrative Company

**FCC Form 470**

Universal Service Program Description of Services Requested and Certification Form



**Entity Number: 7870**  
**Contact Person: Alice Nudelman**

**Applicant's Form Identifier: 20102011**  
**Phone Number: (201)445-6800**

FCC Form

Approval by OMB  
 3060-0806

Do not write in this area

**470**

**Schools and Libraries Universal Service  
 Program Description of Services Requested  
 and Certification Form**

**Form 470 Application Number: 171340000818826**

**19. ☒ I certify that the applicant includes: (Check one or both)**

- a. ☒ schools under the statutory definitions of elementary and secondary schools found in the No Child Left Behind Act of 2001, 20 U.S.C Secs. 7801(18) and (38), that do not operate as for-profit businesses, and do not have endowments exceeding \$50 million; and/or**
- b. ☐ libraries or library consortia eligible for assistance from a State library administrative agency under the Library Services and Technology Act of 1996 that do not operate as for-profit businesses and whose budgets are completely separate from any school (including, but not limited to elementary and secondary schools, colleges and universities).**

**20. ☒ I certify that all of the individual schools, libraries, and library consortia receiving services under this application are covered by technology plans that are written, that cover all 12 months of the funding year, and that have been or will be approved by a state or other authorized body, an SLD-certified technology plan approver, prior to the commencement of service. The plans were written at the following level(s):**

- a. ☒ individual technology plans for using the services requested in the application; and/or**
- b. ☐ higher-level technology plans for using the services requested in the application; or**
- c. ☐ no technology plan needed; application requests basic local, cellular, PCS and/or long distance telephone service and/or voice mail only.**

**21. ☒ I certify that I will post my Form 470 and (if applicable) make my RFP available for at least 28 days before considering all bids received and selecting a service provider. I certify that all bids submitted will be carefully considered and the bid selected will be for the most cost-effective service or equipment offering, with price being the primary factor, and will be the most cost-effective means of meeting educational needs and technology plan goals. I certify that I will retain required documents for a period of at least five years after the last day of service delivered. I certify that I will retain all documents necessary to demonstrate compliance with the statute and Commission rules regarding the application for, receipt of, and delivery of services receiving schools, and libraries discounts. I acknowledge that I may be audited pursuant to participation in the schools and libraries program.**

**22. ☒ I certify that the services the applicant purchases at discounts provided by U.S.C. Sec. 254 will be used solely for educational purposes and will not be sold, resold or transferred in consideration for money or any other thing of value, except as permitted by the Commission's rules at 47 C.F.R. Sec.**

54.500(k). Additionally, I certify that the entity or entities listed on this application have not received anything of value or a promise of anything of value, other than services and equipment sought by means of this form, from the service provider, or any representative or agent thereof or any consultant in connection with this request for services.

23. ☒ I acknowledge that support under this support mechanism is conditional upon the school(s) and/or library(ies) I represent securing access, separately or through this program, to all of the resources, including computers, training, software, internal connections, maintenance, and electrical capacity necessary to use the service purchased effectively. I recognize that some of the aforementioned resources are not eligible for support.

24. ☒ I certify that I am authorized to order telecommunications and other supported services for the eligible entity(ies). I certify that I am authorized to submit this request on behalf of the eligible entity(ies) listed on this application, that I have examined this request, and to the best of my knowledge, information, and belief, all statements of fact contained herein are true.

25. ☒ I certify that I have reviewed all applicable state and local procurement/competitive bidding requirements and that I have complied with them. I acknowledge that persons willfully making false statements on this form can be punished by the fine or forfeiture, under the Communications Act, 47 U.S.C. Secs. 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. Sec. 1001.

26. ☒ I acknowledge that FCC rules provide that persons who have been convicted of criminal violations or held civilly liable for certain acts arising from their participation in the schools and libraries support mechanism are subject to suspension and debarment from the program.

27. Cert ID = 555298	28. Date 2/1/2010
29. Printed name of authorized person Alice Nudelman	
30. Title or position of authorized person Information Management Specialist	
31a. Street Address, P.O. Box or Route Number 500 Van Emburgh Avenue Washington Township, NJ 07676	
31b. Telephone number of authorized person: (201) 445-6800 ext. 142	
31c. Fax number of authorized person: (201) 445-7416	
31d. E-mail of authorized person: anudelman@ihahs.com	
31e. Name of authorized person's employer:	
ATTENTION: If you are signing Form 470 using the PIN assigned to you by SLD, you are reminded that using the PIN is equivalent to your handwritten signature on the form. Your use of the PIN to affirm these certifications means that should they prove untrue, you will be held to the same enforcement standards as those who affirm the certifications on paper. Also, by using the PIN, you are affirming that you have the authority to make these certifications and represent the entity featured in Block One of this funding request.	
Please Check to affirm your compliance <input checked="" type="checkbox"/>	

Form 470 Application Number:  
IMMACULATE HEART ACADEMY  
500 VAN EMBURGH AVE  
WASHINGTON TOWNSHIP, NJ 07676-4112

Service provider involvement with preparation or certification of a Form 470

can taint the competitive bidding process and result in the denial of funding requests.  
For more information, refer to the SLD web site at  
[www.sl.universalservice.org](http://www.sl.universalservice.org) or call the SLD Client Service Bureau at 1-888-203-8100.

NOTICE: Section 54.504 of the Federal Communications Commission's rules requires all schools and libraries ordering services that are eligible for and seeking universal service discounts to file this Description of Services Requested and Certification Form (FCC Form 470) with the Universal Service Administrator. 47 C.F.R. § 54.504. The collection of information stems from the Commission's authority under Section 254 of the Communications Act of 1934, as amended. 47 U.S.C. § 254. The data in the report will be used to ensure that schools and libraries comply with the competitive bidding requirement contained in 47 C.F.R. § 54.504. All schools and libraries planning to order services eligible for universal service discounts must file this form themselves or as part of a consortium.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The FCC is authorized under the Communications Act of 1934, as amended, to collect the information we request in this form. We will use the information you provide to determine whether approving this application is in the public interest. If we believe there may be a violation or a potential violation of any applicable statute, regulation, rule or order, your application may be referred to the Federal, state, or local agency responsible for investigating, prosecuting, enforcing, or implementing the statute, rule, regulation or order. In certain cases, the information in your application may be disclosed to the Department of Justice or a court or adjudicative body when (a) the FCC; or (b) any employee of the FCC; or (c) the United States Government is a party of a proceeding before the body or has an interest in the proceeding. In addition, information provided in or submitted with this form or in response to subsequent inquiries may also be subject to disclosure consistent with the Communications Act of 1934, FCC regulations, the Freedom of Information Act, 5 U.S.C. § 552 or other applicable law.

If you owe a past due debt to the federal government, the information you provide may also be disclosed to the Department of the Treasury Financial Management Service, other Federal agencies and/or your employer to offset your salary, IRS tax refund or other payments to collect that debt. The FCC may also provide the information to these agencies through the matching of computer records when authorized.

If you do not provide the information we request on the form, the FCC may delay processing of your application or may return your application without action.

The foregoing Notice is required by the Paperwork Reduction Act of 1995, Pub. L. No. 104-13, 44 U.S.C. § 3501, et seq.

Public reporting burden for this collection of information is estimated to average 4 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing, and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the reporting burden to the Federal Communications Commission, Performance Evaluation and Records Management, Washington, DC 20554.

Done